

EXHIBIT A5

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FRANK CARBONE, ANDREW CORZO,
SAVANNAH ROSE EKLUND, SIA HENRY,
MICHAEL MAERLANDER, BRANDON PIYEVSKY,
KARA SAFFRIN, and BRITTANY TATIANA
WEAVER, individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA INSTITUTE
OF TECHNOLOGY, UNIVERSITY OF CHICAGO,
THE TRUSTEES OF COLUMBIA UNIVERSITY IN
THE CITY OF NEW YORK, CORNELL
UNIVERSITY, TRUSTEES OF DARTMOUTH
COLLEGE, DUKE UNIVERSITY, EMORY
UNIVERSITY, GEORGETOWN UNIVERSITY, THE
JOHN HOPKINS UNIVERSITY, MASSACHUSETTS
INSTITUTE OF TECHNOLOGY, NORTHWESTERN
UNIVERSITY, UNIVERSITY OF NOTRE DAME DU
LAC, THE TRUSTEES OF THE UNIVERSITY OF
PENNSYLVANIA, WILLIAM MARSH RICE
UNIVERSITY, VANDERBILT UNIVERSITY, and
YALE UNIVERSITY,

Defendants.

Case No.: 22-cv-00125

Hon. Matthew F. Kennelly

CASE MANAGEMENT ORDER #1

Per the Court's ruling during the September 2, 2022 Status Hearing and its Order dated September 2, 2022, the Court enters the following case Management Order jointly submitted by the parties..

(1) Pretrial schedule

The pretrial schedule for this matter is attached as Appendix 1.

(2) Joint Status Report

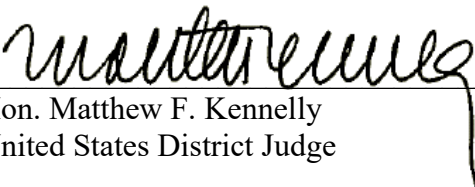
The parties shall file a Joint Status Report on November 7, 2022, in which the parties shall update the Court on (a) the status of discovery, (b) the parties' respective positions on any discovery disputes that have become ripe, and (c) the parties' positions on mediation.

(3) Modifications to the limits on discovery

- A. Depositions of Non-Expert Witnesses.** The parties will meet-and-confer regarding the number of non-expert witness depositions and submit a proposed order (or competing orders if the parties are unable to reach agreement) on December 23, 2022.
- B. Interrogatories.** Plaintiffs may collectively propound no more than 45 written interrogatories, including all discrete subparts, on any defendant. Defendants may collectively propound no more than 45 written interrogatories, including all discrete subparts, on any plaintiff.
- C. Requests for Admission.** Plaintiffs may collectively propound no more than 50 written requests for admission on each defendant. Defendants may collectively propound no more than 50 written requests for admission on each plaintiff.

IT IS SO ORDERED.

Date: September 8, 2022



Hon. Matthew F. Kennelly
United States District Judge

Dated: September 7, 2022

Respectfully submitted,

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APPENDIX 1

| <u>EVENT</u> | <u>DEADLINE</u> |
|---|--------------------------------|
| Answer Under FRCP 12 | September 9, 2022 |
| Parties to submit proposed stipulated orders re ESI, deposition protocol, and expert discovery, and if not stipulated to, a joint motion setting out the disputes | September 16, 2022 |
| Parties to submit proposed stipulated orders re. confidentiality and FERPA and, if not stipulated to, a joint motion setting out the disputes. | October 21, 2022 |
| Parties to submit joint status report | November 7, 2022 |
| Status Hearing | November 14, 2022 8:45 a.m. |
| Parties to Submit Status Report to Court Setting Forth Any Areas of Dispute Regarding Custodians, Non-Custodial Document Sources, and Search Methodologies | December 2, 2022 |
| Deadline to Begin Rolling Production of Documents in Response to RFPs Served on or Before September 19, 2022 | December 16, 2022 |
| Parties will submit a proposed order (or competing orders if the parties are unable to reach agreement) on the number of non-expert witness depositions. | December 23, 2022 |
| Substantial completion of Structured Data in Response to RFPs Served on or Before September 19, 2022 ¹ | February 13, 2023 |
| Substantial completion of Document Production in Response to RFPs Served on or Before September 19, 2022 | March 3, 2023 |
| | July 31, 2023 |

¹ To the extent applicable to the requested information, meeting this deadline is subject to the parties' compliance with the Family Educational Rights and Privacy Act. *See* 20 U.S.C. § 1232g; 34 C.F.R. Part 99.

| <u>EVENT</u> | <u>DEADLINE</u> |
|---|---------------------------------|
| Substantial completion of Document Production in Response to RFPs Served on or Before March 31, 2023 | |
| Motion to Amend Pleadings | July 31, 2023 |
| Close of Fact Discovery | January 31, 2024 ² |
| Opening Expert Reports (Class Certification and Merits) on All Issues on Which a Party Has the Burden off Proof | March 15, 2024 |
| Opposition Expert Reports (Class Certification and Merits) | May 17, 2024 |
| Rebuttal Expert Reports (Class Certification and Merits) | August 2, 2024 |
| Close of Expert Discovery | September 13, 2024 ³ |
| <i>Daubert</i> Motions | October 18, 2024 |
| Motion for Class Certification | October 18, 2024 |
| <i>Daubert</i> Oppositions | November 15, 2024 |
| Opposition to Motion for Class Certification | November 15, 2024 |
| <i>Daubert</i> Replies | December 20, 2024 |
| Reply in Support of Class Certification | January 8, 2025 |
| <i>Daubert</i> and/or Class Certification Hearing | |

² All RFPs must be served at least 75 days before the close of fact discovery. All interrogatories must be served at least 45 days before the close of fact discovery.

³ Expert depositions are to be taken during the period between August 2, 2024 and September 13, 2024.

| <u>EVENT</u> | <u>DEADLINE</u> |
|------------------------------|------------------------|
| | Court's discretion |
| Summary Judgment Motions | March 7, 2025 |
| Summary Judgment Oppositions | April 11, 2025 |
| Summary Judgment Replies | May 12, 2025 |
| Summary Judgment Hearing | Court's discretion |
| Pre-Trial Conference | Court's discretion |
| Trial | Court's discretion |